REMARKS/ARGUMENTS

Status of the Claims

- Claims 1-4, 6-8, 10-23, and 25-32 are pending in the Application after entry of this amendment.
- Claims 1-4, 6-8, 10-23, and 25-32 are rejected by Examiner.
- Claims 1 and 15 are amended by Applicant.

Claim Rejections Pursuant to 35 U.S.C. §103

Claims 1-4, 6-8, 10-23, and 25-32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,389,466 to Zondag in view of U.S. Patent No. 5,547,860 to Perlman.

Zondag discloses a consumer electronics system including at least one controller station (Zondag, Fig.1, 114, 116) and at least one controlled device (Fig.1, 102, 104, 106, 108, 110, 112) wherein the device may be separated by a main communications network (Fig.1, 120). In Zondag, an abstract representation (AR) provides an interface for software elements in the system to control functionality of the controlled device by means of messages exchanged with the AR via the communications network (Col. 1, lines 5-13). Zondag discloses that a distinction is made between a controller station and a controlled device in that the controller station acts as a host for a controlled device. A controller station hosts the abstract representation (AR) for the controlled device (Zondag, Col 7, lines 24-30.) Thus, only controller stations may contain an AR which is the center of control for the controlled device. Some controlled devices cannot be controller devices, such as BAV and LAV devices because of their inability to execute an AR and thus require a separate controller station to provide this functionality (Col. 8. lines 20-43).

The present invention does not make a distinction between controller and controlled devices as does Zondag. In the present invention, all devices have embedded operating systems, all devices have respective control objects, and all devices are capable of acting as an object manager. In Zondag, all devices do not have embedded operating systems, only Full

AV-class Controller Stations have embedded operating systems (Col. 7 line 55- Col. 8 line 15). Also, only controller stations that are "capable" of acting as "leaders" may be selected as leaders (Col. 6 lines 4-55). Zondag requires "preference indicators" to indicate if a controller may execute an AR (abstract representation) and can behave as a leader (Col. 6 lines 4-55). The present invention needs no preference indicators at all because all devices have an associated control object and all may act as an object manager. This is in sharp contrast to the teaching of Zondag.

In Zondag, it is stated that, "...advantageously, for one fixed system, always the same leader will be selected. This may increase consistency in allocating ARs to controller stations, particularly if based on preferences or other information for a controlled station a choice has to be made between equally suitable controller stations, and as such consistency in the operation of the system." (Col. 5 line 63 – Col. 6 line 3). The present invention does not require such consistency in allocating ARs to controller stations because in the present system, each controlled device has its own control object and no allocation is necessary. Also, the present invention initially determines the object manager as being that device that was first registered. It does not first determine the capability of the device as does the system in Zondag. Once again, there is no distinction between controllers and controlled devices in the present invention as there is in Zondag. Amended Claims 1 and 15 reflect these differences by reciting that all controllable devices are capable of being a manager object. Claims 20 and 28 also recite this distinguishing element as well.

Concerning Claim 20, the Examiner states on page 6 of the Office Action dated 1/29/04 that any FAV or IAV can be selected as leader and to see the leader election process at (Col. 16, lines 5-54). Applicant respectfully submits that the process of selecting a leader in Zondag may be viewed as complicated and involves many steps and decision permutations as compared to the process recited in Claims 1, 15, 20 and 28 herein.

The process of the present invention, as recited in Claims 1, 15, 20 and 28 herein is to determine if a control object is the first registered control object and then designate the first registered control object the manager object. Applicant notes that this involves one condition; that condition being the first registered control object. In contrast, a much longer conditional selection process is disclosed in Zondag which only includes FAVs and IAVs devices and

excludes BAVs and LAVs devices. The Zondag process determines an initial leader and then behaves according to a protocol (Col. 16. lines 26-53) to determine the final leader. Applicant's present invention has no such initial leader, analysis, and final leader selection protocol. Applicant submits that if the apparatus of Zondag were operated as is the present invention with respect to using the first registered control object as the manger object, the apparatus of Zondag may not work because the protocol mechanism in Zondag requires that a controller device be capable of executing an AV. There is no such protocol in the present invention because all of the controllable devices are capable of being manager objects.

Applicant submits that Claim 20 and 28 and amended Claims 1 and 15 distinguish the present invention from the teachings of Zondag. Applicants respectfully submit that the Examiner has failed to establish a prima facie case of obviousness because, at minimum, the cited prior art does not teach or suggest all of the claim elements of independent Claims 1, 15, 20 and 28 (See MPEP 706.02 (j)).

The cited prior art does not teach or suggest a system where all devices have an embedded operating system, an associated control object, and where any of the devices may be an object manager as recited in Claims 1, 15, 20 and 28 herein. This deficiency is not cured by the addition of Perlman which discloses a technique for generating, distributing, and maintaining a list of operational nodes in a network using a non-broadcast communication medium. Therefore, the combination of Zondag and Perlman cannot render obvious the claims of the present Application at least because all elements are not present in the references. Consequently, Applicants traverse the 35 U.S.C. §103(a) rejection of the present Office Action.

Additionally, in as much as dependent Claims 2-4, 6-8, 10-14 are ultimately dependent on now-allowable independent Claim 1, and dependent Claims 16-19 are ultimately dependent on now-allowable independent Claim 15, and dependent Claims 21-23 and 25-27 are ultimately dependent on now-allowable independent Claim 20, and dependent Claims 29-32 are ultimately dependent on now-allowable independent Claim 28, such dependent claims are themselves allowable because they serve only to further limit the independent claims.

Conclusion

Applicants respectfully request reconsideration of the subject application in light of the reasons set forth hereinabove, and a Notice of Allowance for all pending claims is earnestly solicited.

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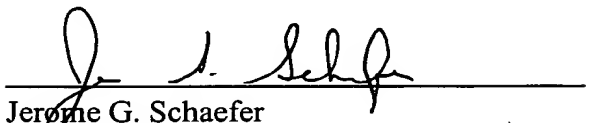

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